

Article - Real Property

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§3–102.1.

(a) If a recorded easement, covenant, restriction, or condition has been granted, devised, dedicated, reserved, or donated to, or otherwise affects an interest in, real property, a notice of the easement, covenant, restriction, or condition may be recorded in the land records of the county in which the property interest is located.

(b) A notice recorded under subsection (a) of this section shall:

(1) State, if known, the name and current address of:

(i) The current holder of the easement, covenant, restriction, or condition; and

(ii) Any neighborhood association relevant to the easement, covenant, restriction, or condition;

(2) Contain a statement that the easement, covenant, restriction, or condition is still in effect as of the date of the notice;

(3) Contain the recording information for the easement, covenant, restriction, or condition and the recording information for any associated amendment or corrective document; and

(4) State, as of the date of the notice, the name of the fee simple owner of the land encumbered by the easement, covenant, restriction, or condition and, if applicable and known:

(i) The owner of any recorded leasehold estate or holder of any other real property interest in land encumbered by the easement, covenant, restriction, or condition; and

(ii) Any neighborhood association relevant to the land encumbered by the easement, covenant, restriction, or condition.

(c) A notice recorded under subsection (a) of this section shall be indexed among the land records under the name of:

(1) The holder of the easement, covenant, restriction, or condition; and

(2) The fee simple owner of the land encumbered by the easement, covenant, restriction, or condition, as specified in the notice and, if applicable and known:

(i) The owner of any recorded leasehold estate or holder of any other real property interest in land encumbered by the easement, covenant, restriction, or condition; and

(ii) Any neighborhood association relevant to land encumbered by the easement, covenant, restriction, or condition.

(d) Failure to record a notice in accordance with the requirements of this section does not:

(1) Impair the rights or interests of the holder of an easement, a covenant, a restriction, or a condition; or

(2) Waive, release, or otherwise affect the obligations of any person holding a real property interest burdened by the easement, covenant, restriction, or condition.

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